UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Moore

DATE: 6-21-76

FROM : J. P. Monroe

SUBJECT: MARTIN LUTHER KING MURDER, INQUIRY FROM LES PAYNE OF "NEWSDAY"

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Adm. Serv. ___
Ext. Affairs ___
Fin. & Pers. ___
Gen. Inv. ___
Ident. ___
Inspection ___
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Training ___
Telephone Rm. ___
Director Sec'y ___

PURPOSE:

The purpose of this memorandum is to recommend that Les Payne of "Newsday" (who has written Mr. Kelley regarding the Martin Luther King murder investigation) be invited to view data regarding evidence examined by the FBI Laboratory that has been made available under the Freedom of Information Act--and that he be advised our files do not substantiate the involvement of FBI informants in rioting in Memphis, Tennessee, in March, 1968, as alleged in an article he wrote for "Newsday" this year.

SYNOPSIS:

By letter dated June 10th, Payne has advised he wants to interview a knowledgeable Bureau representative regarding the Invaders (militant group of blacks in Memphis at time of Martin Luther King murder) and work of FBI Laboratory in the King murder case. Data concerning evidence examined by Laboratory in King murder case has been made available under Freedom of Information Act and can be reviewed by Payne. Payne wrote article for February 1, 1976, issue of "Newsday" alleging that "Several FBI informants...were among the most active members of" the Invaders and that "FBI informants actively participated in the rioting in Memphis in 1968 which drew the Rev. Dr. King back to the city where he was killed." In a memorandum to the Attorney General on March 4, 1976, the Director pointed out that the Memphis Office had informant

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Enclosures (2) - Sent 6-25-76
1 - Mr. Moore - Enclosures (2)
1 - Mr. Cochran - Enclosures (2)
1 - Mr. Gallagher - Enclosures (2)
1 - Mr. Leavitt - Enclosures (2)
1 - Mr. McDermott - Enclosures (2)
1 - Mr. Mintz - Enclosures (2)
1 - Mrs. Metcalf - Enclosures (2)
1 - Telephone Room - Enclosures (2)
GWG:slr (12)

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RESEARCH SECTION

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coverage of the Invaders, but our files do not indicate that any FBI informants were involved in planning, inciting, or participating in the violence that erupted during a march in which Dr. King participated in Memphis on March 28, 1968.

RECOMMENDATION:

That the attached letter be sent Payne advising him that data pertaining to the Laboratory examinations in the King murder case has been made available under the Freedom of Information Act and that he should contact your (Mr. Moore's) office if he desires to arrange to see this data. With regard to his inquiry concerning the Invaders, the attached letter points out that our files do not support the allegations regarding FBI informants in his article which was published in the February 1, 1976, issue of "Newsday."

APPROVED:
Assoc. Dir.
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Dep. AD Inv.
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DETAILS:

By letter dated June 10, 1976, Les Payne of "Newsday" (a daily newspaper on New York's Long Island) has written to refresh Mr. Kelley's memory to the fact that he (Payne) participated with Mr. Kelley on the "Black Perspectives on the News" television program earlier this year. (The program to which he refers was filmed in Philadelphia, Pennsylvania, in April, 1976.) Payne notes that at the time he raised questions about the FBI Laboratory reports in the Martin Luther King murder case and that he also asked about FBI penetration of the Invader group in Memphis. According to Payne, Mr. Kelley's response to these questions was to the effect that he was not prepared at that time to give a detailed outline of what the evidence was.

In his June 10th letter, Payne now asks that he be granted an interview with an Agent or other official

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knowledgeable regarding the King murder case. Specifically, he wants to talk to someone familiar with (1) the Invaders group, and (2) the work of the FBI Laboratory with respect to evidence from the scene of the murder.

Regarding Evidence Examined by Laboratory:

This year, considerable data concerning evidence examined by the FBI Laboratory in the King murder case has been made available to author Harold Weisberg under the Freedom of Information Act. That material is, of course, available to Payne and to others who express an interest in it.

Regarding the Invaders:

The Invaders was a militant group composed of young blacks which was active in Memphis, Tennessee, at the time the Memphis sanitation workers began a strike in February, 1968. That strike, which became a black cause, was supported by Dr. King and his Southern Christian Leadership Conference. Dr. King participated in a march supportive of the sanitation workers on March 28, 1968, in Memphis. Shortly after the march began, young blacks toward the rear began breaking windows and looting--at which point Dr. King left the scene. Widespread violence and looting followed. Leaders of the Invaders had urged students to skip school on the day of the march; and the presence of uncontrolled youths, combined with agitation of leaders of the Invaders, was considered a primary cause of the violence.

Reportedly, the violence was particularly distressing to Dr. King and his associates because they felt it might be construed to indicate Dr. King could no longer lead mass demonstrations without violence. Early in April, 1968, Dr. King returned to Memphis and was murdered.

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Article by Payne About King Murder and the Invaders:

The February 1, 1976, issue of "Newsday" featured an article by Les Payne headlined "FBI Tied to King's Return to Memphis." Payne's article alleges that "Several FBI informants and at least one undercover agent for the Memphis police department were among the most active members of" the Invaders and that "FBI informants actively participated in the rioting in Memphis in 1968 which drew the Rev. Dr. King back to the city where he was killed." (A Xerox of Payne's article is attached.)

By memorandum dated March 4, 1976, the Director brought Payne's article to the attention of the Attorney General and advised him:

"The FBI did have informant coverage of the Invaders. There were five informants of the Memphis Office providing some degree of coverage of the Invaders or its leaders. One informant did become a member of the Invaders shortly after the March 28, 1968, violence. He was present during the demonstration and reported on the activities of the leaders of the Invaders before and during the demonstration. Another informant was well acquainted with the BOP*/Invaders leaders. He was also present during the demonstration and reported thereon."

* (Black Organizing Project)

"Our files do not indicate that any of the FBI informants were involved in planning, inciting or participating in the violence. None were in any level of policy or leadership in the BOP or the Invaders."

"The Memphis Police Department did have an undercover officer who had infiltrated the Invaders. He regularly reported on the activities of the Invaders. Information was exchanged

between the Memphis Police Department and the FBI concerning the Invaders. There is no indication in our files that the Memphis police officer was involved in the planning, instigating or performance of violence. This man has been publicly disclosed and he is no longer a member of the Memphis Police Department."

Justice Department's Current Review of FBI Files on King:

In a news release issued April 29, 1976, Attorney General Levi announced (1) that Assistant Attorney General J. Stanley Pottinger had completed a preliminary review of files regarding Dr. King at FBI Headquarters and (2) that he has directed the Office of Professional Responsibility to review all records in the Justice Department regarding Dr. King, including additional records at FBI Headquarters and in our Field Offices.